



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,838	11/08/2001	Orazio Pater	1330/4	7630
45209	7590	07/05/2007		
INTEL/BLAKELY 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER GRAHAM, CLEMENT B	
			ART UNIT 3692	PAPER NUMBER
			MAIL DATE 07/05/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/007,838

Applicant(s)

PATER ET AL.

Examiner

Clement B. Graham

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 remained pending in this Application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 11, and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, Claims 11, 22, states "completing a transaction to the point of payment" However its is unclear why one would complete a transaction and then adding the funds transfer static data and funds transfer status data to the payment input data to form funds transfer data. For further examination, the examiner interprets the limitation in light of this 112, second rejection .

In particular, Claims 11, 22, states "waiting if conditions are not met, and extracting funds transfer instructions from the funds transfer data by applying a funds transfer interface if the conditions are met" However its is unclear as to what happens if conditions are not met.

For further examination, the examiner interprets the limitation in light of this 112, second rejection .

In particular, Claim 1, states "storing funds transfer status data"

However its is unclear because it seems you are storing the funds transfer status data before you actually execute the transaction.

For further examination, the examiner interprets the limitation in light of this 112, second rejection .

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

Art Unit: 3692

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamm 6, 078907) in view Thomas et al (Hereinafter Ramsey U.S Patent 6, 173, 272.

As per claim 1, Lamm discloses an electronic payment system for a customer to direct payment over an electronic funds transfer network from an originating bank, comprising: means for receiving payment input data(see column 4 lines 24-28) means for storing ("i. e, epo server "see column 8 lines 36-54) funds transfer static data;. Means for storing funds transfer status data and the electronic funds transfer network and funds source identifier with payment instruction and (Note fig :2 and see column 4 lines 23-28 and consumer bank account number, name and address and social security number(see column 6 lines 3-15 and ee column 4 lines 24-59 and column 5-12 lines 1-67).

Lamm fail to explicitly teach means for generating funds transfer data from the payment input data and the funds transfer status data and means for generating a funds transfer instruction from the funds transfer data, wherein the funds transfer data is appropriate to the originating bank.

However Thomas discloses means for generating funds transfer data from the payment input data and the funds transfer status data and means for generating a funds transfer instruction from the funds transfer data, wherein the funds transfer data is appropriate to the originating bank and the electronic funds transfer network(see column 4 lines 25-67 and column 5 lines 1-30 and column 6 lines 21-36 and column 10 lines 4-55).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teaching of Lamm to include means for generating funds transfer data from the payment input data and the funds transfer status data and means for generating a funds transfer instruction from the funds transfer data, wherein the funds transfer data is appropriate to the originating bank taught by Thomas in order to provide a system of electronic bill presentment that permits billers to present to payors at

Art Unit: 3692

the payors home banking systems without the need for the biller to have access to the information of the payors bank.

As per claim 2, Lamm discloses wherein the funds transfer instruction generating means is responsive to funds transfer business logic. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 3, Lamm discloses wherein the funds transfer static data comprises bank funds transfer information. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 4, Lamm discloses wherein the funds transfer static data comprises credit card funds transfer information. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 5, Lamm discloses wherein the customer provides the payment input data over the Internet from a personal computer. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 6, Lamm discloses wherein the personal computer sends the payment input data in response to a single action. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 7, Lamm discloses wherein the personal computer provides a payment button to send the payment input data at a single click of the payment button. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 8, Lamm discloses wherein the payment button appears on a merchant Web page. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 9, Lamm discloses wherein the payment button appears in an electronic wallet. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 10, Lamm discloses wherein the payment button provides a blank for the customer to enter a customer 1D. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 11, Lamm discloses wherein the customer provides the payment input data over a wireless communications network. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 12, Lamm discloses wherein the customer provides the payment input data over a private communications network. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 13, Lamm discloses wherein the payment input data comprises customer identification, payment amount, and transaction date. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 14, Lamm discloses wherein the payment input data further comprises customer authentication information. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 15, Lamm discloses wherein the electronic funds transfer network is pre-determined. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 16, Lamm discloses wherein the electronic funds transfer network is selected from the group consisting of FEDWIRE, ACH, SWIFT, and CHIP. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 17, Lamm discloses an electronic payment method for a customer to direct payment over an electronic funds transfer network from an originating bank, comprising the steps of establishing funds transfer static data((Note fig :2 and see column 4 lines 23-28 and see column 6 lines 3-15).

completing a transaction to the point of payment; pushing a payment button to transmit payment input data(see column 4 lines 23-28 and column 9 lines 40-63).

Lamm fail to explicitly teach creating funds transfer status data and the funds transfer status data to the payment input data to form funds transfer data monitoring the funds transfer data and conditions to see if the transfer should be executed waiting if the conditions are not met, extracting funds transfer instructions from the funds transfer data by applying a funds transfer interface if the conditions are met; and sending the funds transfer instructions to the originating bank and adding funds transfer static data.

Lamm fail to explicitly teach means for generating funds transfer data from the payment input data and the funds transfer status data and means for generating a funds

Art Unit: 3692

transfer instruction from the funds transfer data, wherein the funds transfer data is appropriate to the originating bank.

However Thomas discloses means for generating funds transfer data from the payment input data and the funds transfer status data and means for generating a funds transfer instruction from the funds transfer data, wherein the funds transfer data is appropriate to the originating bank and the electronic funds transfer network(see column 4 lines 25-67 and column 5 lines 1-30 and column 6 lines 21-36 and column 10 lines 4-55).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teaching of Lamm to include means for generating funds transfer data from the payment input data and the funds transfer status data and means for generating a funds transfer instruction from the funds transfer data, wherein the funds transfer data is appropriate to the originating bank taught by Thomas in order to provide a system of electronic bill presentment that permits billers to present to payors at the payors home banking systems without the need for the biller to have access to the information of the payors bank.

As per claim 18, Lamm discloses further comprising the step of authenticating the identity of the customer. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 19, Lamm discloses wherein the step of authenticating the identity of the customer further comprises the step of checking a personal identification number. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 20, Lamm discloses wherein the step of authenticating the identity of the customer further comprises the step of checking biometric information. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 21, Lamm discloses wherein the step of authenticating the identity of the customer further comprises the step of checking a software key. (see column 4 lines 9-59 and column 5-12 lines 1-67).

As per claim 22, Lamm discloses a computer readable medium storing a computer program for electronic payment, the computer program comprising:

computer readable code for establishing funds transfer static data; computer readable code for completing a transaction to the point of payment(see column 4 lines 9-59 and column 5-12 lines 1-67)

computer readable code for pushing a payment button to transmit payment input data;

computer readable code for creating funds transfer status data;

computer readable code for adding the funds transfer static data and the ,

funds transfer status data to the payment input data to form funds transfer data; computer readable code for monitoring the funds transfer data and conditions to see if the transfer should be executed(see column 4 lines 9-59 and column 5-12 lines 1-67).

Lamm fail to explicitly teach computer readable code for waiting if the conditions are not met computer readable code for extracting funds transfer instructions from the funds transfer data by applying a funds transfer interface if the conditions are met; and computer readable code for sending the funds transfer instructions to the originating bank and adding funds transfer static data.

However Thomas discloses means for generating funds transfer data from the payment input data and the funds transfer status data and means for generating a funds transfer instruction from the funds transfer data, wherein the funds transfer data is appropriate to the originating bank and the electronic funds transfer network(see column 4 lines 25-67 and column 5 lines 1-30 and column 6 lines 21-36 and column 10 lines 4-55).

Therefore it would have been obvious to one of ordinary skill in the art the time the invention was made to modify the teaching of Lamm to include computer readable code for waiting if the conditions are not met computer readable code for extracting funds transfer instructions from the funds transfer data by applying a funds transfer interface if the conditions are met; and computer readable code for sending the funds transfer instructions to the originating bank and adding funds transfer static data taught by Thomas in order to provide a system of electronic bill presentment that permits billers to present to payors at the payors home banking systems without the need for the biller to have access to the information of the payors bank.

Art Unit: 3692

As per claim 23, Lamm discloses wherein the computer program further comprises computer readable code for authenticating the identity of the customer. (see column 4 lines 9-59 and column 5-12 lines 1-67).

Conclusion

RESPONSE TO ARGUMENTS

6 Applicant's arguments filed 01/19/2007 has been fully considered but they are moot in view of new grounds of rejections.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 7571-272-67953-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

July 10, 2006


FRANTZY POINVIL
PRIMARY EXAMINER
Au 3692